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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
http://www.epa.gov/region08

Ref: 8ENF-T

MAR 29 2001

Mr. Thomas W. Korver Legal Assistant Holme Roberts & Owen LLP 1700 Lincoln St., Suite 1400 Denver, Colorado 80203-4541

> Re: Freedom of Information Act Raintree Nursery, Mel Parker Lerah Parker, Libby, MT No. 08-RIN-057-01

Dear Mr. Korver:

This letter is in response to your Freedom of Information Act request for documents concerning the Libby Asbestos Site in Libby, MT. Enclosed are documents responsive to your request.

A bill for \$121.45 will be sent under separate cover. Those costs include search and review time of \$40.00, and \$81.45 for 543 pages of photo copies @ \$.15 per page.

EPA has provided access to the Internet for the following frequently-requested data bases: CERCLIS, AIRS, AFS, RCRIS, TRIS, FINDS, PCS, WATER Discharge Permits, EMCI, and LRT. The Internet address is http://www.epa.gov/region8. Select "FOIA", then go to About Region 8, then Freedom of Information. Questions can be directed to the Internet Helpline at 1-800-334-2405 (dial "0" when they answer). The phonelines are staffed from 7:30 am to 8:00 pm EST. If you do not have access to the Internet, please note that many public libraries do have this access and offer it for public use.

If you have further questions regarding this matter, please contact Kelcey Land at (303) 312-6393.

Sincerely,

Sharon K. Kercher

Technical Enforcement Program

COffice of Environmental Compliance

and Environmental Justice

Kelcey Land 02/15/2001 06:01 PM

To:

Consuelo Dominguez/ENF/R8/USEPA/US,

cc:

Lynn Sims/ENF/R8/USEPA/US, Sharon Kercher/ENF/R8/USEPA/US,

Subject: FOIA 57-01

I am confused about FOIA 57-01 - Lynn just brought this to me earlier this week (Tuesday) - the routing slip on the FOIA from you, Consuelo, is dated 2/1/01 - but the FOIA is dated 11/22/00 and was due 12/21/00. Why am I just now getting a FOIA that is nearly two months overdue? Can someone please tell me why this happened - in this case, the FOIA requester happens to be a major PRP and is very litigious. It isn't quite as simple as just asking for an extension now, because we are way past the due date. Is there something we can do to prevent this in the future? Thanks - Kelcey

weight on daylor

Freedom of Information Act Request 08-RIN-00000-01

Request Date:

Date Received:

11/22/2000

11/22/2000

	Fee Category:	Commercial	Acknowledged:	11/22/2000
	Subject:	RAINTREE NURS	ERY; MEL PARKER; LERAH PARKER	
	Lead Office:		A581	mn of ma
	Assigned to:	08-ENF	\(\sigma_0 \)	VION CON
	Original Due Date:	12/21/2000	New Due Date:	1 NW S
	Track:	BASIC	Fee Waiver Requested:	NO
	FIS Initials:	VF		
Mary Mary	SPECIAL INSTRUCTIONS:		IF COSTS ARE EXPECTED TO EXCEED \$25, CONTACT REQUESTER FOR PAYMENT COMMITMENT BEFORE PROCESSING REQUEST.	
Solve X			REC'D BY:	·
7	of ordered and and and and and and and and and an	ind Callo	DATE	·

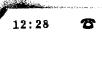
THOMAS KORVER

HOLME ROBERTS

& OWEN

Requestor:

Company:



Holme Roberts & Owen LLP

RECEIVEL 2000 NOV 22 PM 1:27

November 22, 2000

OFFICE

Via Facsimile (303) 312-6961

Regional Freedom of Information Office Region 8, Mailcode:8-OC U.S. Environmental Protection Agency 999 18th Street, Suite 500 Denver, Colorado 80202

ENF

Re: Request for Public Records

(8) RIN 57-01

Dear FOIA Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I hereby request copies of the following documents.

Any and all documents connected with payments by EPA to Mel Parker, Lerah Parker, or Raintree Nursery in connection with EPA's investigation or remediation of areas in the general vicinity of Libby, Montana, including, but not limited to documents which refer, relate or concern:

Attorneys at Law

1700 Lincoln Street Suite 4100 Denver, Colorado 80203-4541 Tel (303)861-7000 Fax (303)866-0200 www.hro.com

- Denver Salt Lake City Boulder Colorado Springs London
- Any and all inventories of real or personal property, merchandise, or other items purchased from Mel Parker, Lerah Parker, or Raintree Nursery;
- 2. Any and all summaries of amounts paid to Mel Parker, Lerah Parker, or Raintree Nursery;
- 3. Any and all invoices from Mel Parker, Lerah Parker, or Raintree Nursery for real or personal property, merchandise, or other items purchased by EPA;
- 4. Any and all copies of checks provided to Mel Parker, Lerah Parker, or Raintree Nursery in payment for real or personal property, merchandise, or other items purchased by EPA;
- 5. Any and all contracts or other agreements between EPA and Mel Parker, Lerah Parker, or Raintree Nursery;
- 6. Any and all documents and/or communications between EPA and Mel Parker, Lerah Parker or Raintree Nursery concerning liability protection or liability

Holme Roberts & Owen LIP

U.S. Environmental Protection Agency, Region 8
FOIA Officer
Page 2

limitations for the Parkers or Raintree Nursery, including, but not limited to, releases, indemnities, covenants not to sue, or contribution protection; and

7. Any and all communications between EPA and Mel Parker, Lerah Parker or Raintree Nursery concerning the purchase of real or personal property, merchandise, or other items.

I am prepared to pay for reasonable charges incurred in responding to my request. However, should the amount exceed \$500, please contact mc before the charges are incurred.

If you or your designee have any questions or concerns with respect to my request, please contact me as soon as possible. Thank you for your consideration.

Regards,

Thomas W. Korver Legal Assistant